

PUBLIC SAFETY & PUBLIC INFORMATION COMMITTEE

Of the Suffolk County Legislature

Minutes

A special meeting of the Public Safety & Public Information Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York, on **October 26, 2005**, to discuss the matter of the 2006 Operating Budget.

Members Present:

Legislator Angie Carpenter • Chairperson

Legislator Michael Caracciolo

Legislator Daniel Losquadro

Legislator David Bishop

Legislator William Lindsay

Legislator Lynne Nowick

Members Not Present:

Legislator Pete O'Leary

Legislator Elie Mystal

Also In Attendance:

Mea Knapp • Counsel to the Legislature

Alexandra Sullivan • Chief Deputy Clerk/Suffolk County Legislature

Doug Sutherland • Aide to Legislator Carpenter

Lisa Keys • Aide to Presiding Officer Caracappa

Maria Ammirati • Aide to Legislator O'Leary

Alicia Howard • Aide to Legislator Montano

Frank Tassone • Aide to Majority Caucus

Paul Perillie • Aide to Minority Caucus

Gail Vizzini • Director/Budget Review Office

Sean Clancy • Budget Analyst/Budget Review Office

Jim Maggio • Budget Analyst/Budget Review Office

Jill Moss • Budget Analyst/Budget Review Office
Ben Zwirn • Assistant County Executive
Jimmy Dahroug • County Executive Assistant
Brian Beedenbender • County Executive Assistant
Allen Kovesdy • County Executive's Budget Office
Jacqueline Caputi • County Attorney's Office
Al Tisch • Suffolk County Sheriff
Donald Sullivan • Undersheriff/Suffolk County Sheriff's Office
Walter Denzler • Undersheriff/Suffolk County Sheriff's Office
Alan Otto • Chief of Staff/Suffolk County Sheriff's Office
Thomas Murphy • Warden/Suffolk County Sheriff's Office
Joseph Rubacka • Deputy Warden/Suffolk County Sheriff's Office
Joseph Gerace • Sheriff/Chatagua County Sheriff's Office
President/New York State Sheriff's Association•Albany
Ed Wutzer • New York State Sheriff's Association•Albany
Michael Welhous • Correction Officer/Suffolk County Sheriff's Office
Richard Maccho • Correction Officer/Suffolk County Sheriff's Office
Curtis Sclafani • Correction Officer/Suffolk County Sheriff's Office
Vito Dagnello • President/Correction Officer's Association
John Johnson • 2nd Vice•President/Correction Officer's Association
Charlie Sclafani • Treasurer/Correction Officer's Association
Richard Dormer • Commissioner/Suffolk County Police Department
Roger Shannon • Deputy Commissioner/Suffolk County Police Department
Robert Moore • Chief of Department/Suffolk County Police Department
Ed Webber • Chief of Patrol/Suffolk County Police Department
John McElhone • Chief of Support Services/Suffolk County Police Dept
William Reithmann • Lieutenant/Suffolk County Police Department
Robert Scharf • Lieutenant/Suffolk County Police Department
Sue Vail • Civilian Employee/Suffolk county Police Department
Donna Miles • Civilian Employee/Suffolk county Police Department
Charles Palmer • Civilian Employee/Suffolk county Police Department
William Mulligan • President/Superior Officer's Association
Warren Horst • Suffolk County Fire Marshall
Tom Kost • Executive Director/Suffolk County Fire Academy

Richard Stockinger • Assistant Director/Suffolk County Fire Academy
John Desmond • Director/Suffolk County Probation Department
Dr. James Golbin • Chief Criminal Justice Planner/SC Probation Dept
Carlene Maimoni • Director•Program Evaluation/SC Probation Department
Catherine Hoak • Suffolk County League of Women Voters
Evelyn Blinn • Resident of Coram
Emi Endo • Newsday
All Other Interested Parties

Minutes Taken By:

Alison Mahoney • Court Stenographer

(*The meeting was called to order at 10:42 A.M. *)

CHAIRPERSON CARPENTER:

Would you all please rise for the Pledge of Allegiance led by Legislator Nowick.

Salutation

Thank you. You may be seated. We have a bit of a full agenda this morning and we also have a brief presentation, so I would just ask the Sheriff if he would like to come forward with the guest that we have here today from New York State.

SHERIFF TISCH:

Thank you very much, Chairwoman Carpenter. You're right, we are here with a representative of the State's Sheriff's Association, actually it's the Sheriff of Chautauqua County who happens to hold the position of President of the New York State Sheriff's Association. He is here today on behalf of the association to present Suffolk County with a plaque commemorating the fact that this County has achieved accreditation of our correctional system, the first time in the history of this County that we have been so accredited. We're only the sixteenth ••

LEG. NOWICK:

Excuse me, Judge. Could you speak into the microphone?

SHERIFF TISCH:

We're only the sixteenth County in the State to have been afforded this recognition and we are the largest County in the State to have achieved this. We're very proud of the hard work that our staff has undertaken since 2002 to achieve this status. There were 166 milestone, criteria that were imposed upon our correctional facility to meet and we have successfully met them. At this time I would turn this over to Sheriff Gerace.

SHERIFF GERACE:

Thank you, Sheriff. And I want to thank Madam Chairwoman and the Legislators here for giving me an opportunity to speak before you today.

My name is Joel Gerace, I'm the Sheriff of Chautauqua County, New York, which is about as far west as you can go and still be in New York State. I'm also this year the President of the New York State Sheriff's association and it's absolutely my honor and privilege to be here today to present the Suffolk County Sheriff's Office, Sheriff Tisch, with the accreditation for the New York State Sheriff's Association Jail Accreditation Program. And for many people that are not in law enforcement and not in corrections this doesn't mean anything; you think, well, what is an accreditation program? Well, it is 166 standards to make •• to ensure that the Sheriff's Office is providing the highest level of professionalism for the residents of Suffolk and for those individuals who are incarcerated in your jail, and this is something that takes years of work. And I know that Sheriff Tisch has to be extremely proud of his staff for the work that they put into this.

As Sheriff of Chautauqua, we are continuing to strive for this goal, we are not yet accredited, there's only 16 counties out of the in New York State that have reached accreditation. So this is a big day for you here in Suffolk County. And I really want to tip my hat to Sheriff Tisch for being able to accomplish this very difficult accreditation, one of the most difficult goals that the State Sheriff Association does recognize.

We also accredit dispatch centers and civil divisions of Sheriff's Offices, but the jail accreditation is the toughest by far. And of the 166 standards, it means that every part of the operation, the way that it runs day to day, its policies and procedures have to meet the highest degree of professionalism. And a team of accreditors come in and review each and every policy and go through the day to day operation to see that the Sheriff's Office is reaching this standard. And so it's with great pleasure and honor that I present today to the Suffolk County Sheriff's Office

and Sheriff Tisch the accreditation of the New York State Sheriff's Association for the jail. Congratulations.

Applause

SHERIFF TISCH:

Thank you very very much for giving Sheriff Gerace the opportunity to make this presentation to the County.

CHAIRPERSON CARPENTER:

Thank you.

SHERIFF TISCH:

I'm very proud to receive it on all our behalves.

CHAIRPERSON CARPENTER:

Thank you very much. And Sheriff Gerace, thank you so much for coming down. Tell me, Chautauqua County you said is the furthest west; north or south?

SHERIFF GERACE:

Southwest; we boarder Lake Erie on our northern shore and Pennsylvania on our western and southern shore.

CHAIRPERSON CARPENTER:

So the Binghamton area?

SHERIFF GERACE:

We're far west of that.

CHAIRPERSON CARPENTER:

Oh, okay.

SHERIFF GERACE:

We're west of Buffalo, southwest of Buffalo. We're closer to Erie ••

In fact, I can do Pittsburgh and back faster than I can do Albany and back.

CHAIRPERSON CARPENTER:

Well, thank you very much for coming down, we do appreciate it. And to the Sheriff and to everyone in the Sheriff's Office, the Deputy Sheriffs, the Correction Officers, all of the staff within the facilities, I know that you share in this and we're very, very proud and very grateful for everything you do every day.

SHERIFF GERACE:

Madam Chair, if I might add one other thing. This is good for Suffolk because from the point of liability, you're ensuring through this accreditation process that if there is an incident that the Sheriff's Office has lived up to every standard and exceeded many of those standards. So it could be a benefit in that way as well, to protect the County from vicarious liability. Thank you.

CHAIRPERSON CARPENTER:

Well, thank you. Thank you very much.

Okay, we have, as I said, a pretty full agenda this morning. The various departments that are covered by this committee and we had a request from John Desmond from Probation, he said it's going to be brief. So John, why don't you come forward, then we'll be followed by the Sheriff and Police Department and FRES and so forth. Good morning, John.

DIRECTOR DESMOND:

Good morning. Good to see everyone. With me today is Dr. James Golbin who is the Chief Criminal Justice Planner for the Probation Department and Carlene Maimoni who is the Director of Program Evaluation. I'd like to thank you very much for giving us the first shot today, I need to go up to Albany and I want to get up there while it's not snowing.

We've handed out to you the report on the active GPS electronic monitoring. We had two requests, one from Public Safety last October and one by resolution from the Legislature in January requesting an evaluation program study done by Probation. As you can see when you look at the report, we believe the technology has now reached a point where a pilot program

would be feasible and I'd be very happy to meet with any and all at any time that you would like me to, I would bring my staff who know a lot more about it than I do.

The Probation Department in terms of its budget priorities, its action priorities for 2006, the first priority is implementing the jail overcrowding initiatives, the second is evaluating a pilot program of the active _VM_ for GPS, and the third is implementing effective responses to the new PINS laws, and I believe that we're well under way in all three of those. And that pretty much completes my statement and we're here for questions.

LEG. LINDSAY:

Madam Chair?

CHAIRPERSON CARPENTER:

Legislator Lindsay.

LEG. LINDSAY:

John, as I recall, we already have approved a pilot program for sex offenders for the GPS tracking system?

DIRECTOR DESMOND:

What the Legislature did was it provided initial seed money to review the technology that was out there, and that's what we've done in the past year. And now we've pinpointed what we believe is the most state-of-the-art equipment that's out there and it is our intent to •• with the approval of the budgetary process, to start a very small pilot program commencing probably in January, 20 to 25 individuals for about six months, and the idea is to take some offenders, sex offenders, drug and alcohol DWI's, possibly some juveniles. We expect that their responses to this type of equipment will be different depending on the offender and their backgrounds, and that will give us some idea of the cost effectiveness of the technology, how many violations of their restrictions occur.

(*Legislator Kennedy entered the meeting at 10:51 A.M.)

The more violations there are, the more times we have to respond, the more personnel we'll need. So before we can come to the Legislature or to the County Exec with any kind of reasonable staffing, if we're looking for a full implementation of the program, we really need to

do our homework and find out how busy we're going to be using these active 24-hour electronic monitoring devices.

LEG. LINDSAY:

Do you have the money in the budget and the personnel to implement the pilot program?

DIRECTOR DESMOND:

I believe it was the County Executive's decision to take the existing non-filled positions that we have in the department and utilize those to begin implementing this program. Your BRO advocated that four positions of Probation Officers, three Probation Officers in the senior and then a computer specialist also will be created to implement the initial part of the program.

LEG. LINDSAY:

So do you need those positions or do you have the positions now?

DIRECTOR DESMOND:

I don't currently have any filled positions to implement the program.

LEG. LINDSAY:

Okay. So what you need is positions that are already authorized to be filled.

DIRECTOR DESMOND:

In order to implement the program, I need to have additional staff.

LEG. LINDSAY:

Okay, we're going back and forth. Do you want us to add positions to the budget to do this program or are there positions in there that are unfilled?

DIRECTOR DESMOND:

There are positions in the budget that are unfilled.

LEG. LINDSAY:

Okay. Because, you know, I agree with you and probably the sensible way to go would be to try this program as a pilot and to look at the numbers after a period of time and if it's workable

then we should look to fill or add permanent positions to your line so that we can fully implement this program.

LEG. CARACCILOLO:

Angie?

CHAIRPERSON CARPENTER:

Just picking up on that, I understand that there were a number of positions that were earmarked in the budget, and maybe Budget Review can speak to that. Are some of these positions that they have vacant and would plan on filling for this use, have they been earmarked for other titles?

MS. VIZZINI:

Well, right now Probation has 41 vacancies and there were 12 approved 167's. We'll check the file in terms of what's earmarked.

CHAIRPERSON CARPENTER:

Okay, thank you.

LEG. KENNEDY:

Madam Chair?

CHAIRPERSON CARPENTER:

John, if I could, on •• while we're on positions, there were a number of other positions that the Budget Review Office recommended that we add; what is your feeling on that?

DIRECTOR DESMOND:

In order to effectively implement those programs, we do need those positions.

CHAIRPERSON CARPENTER:

All right, thank you. I'm not sure who was first, was it Legislator Caracciolo and then Legislator Kennedy; did you ask to speak?

LEG. CARACCILOLO:

Yeah.

CHAIRPERSON CARPENTER:

All right, Legislator Caracciolo and then Legislator Kennedy.

LEG. CARACCIOLO:

Thank you, Madam Chair. John, with respect to the question by Legislator Lindsay, the positions that are budgeted but unfilled, is it your expectation that those SCIN forms will be released, is that part of the 12 that the Chair just addressed?

DIRECTOR DESMOND:

It's my understanding from the County Executive's Office that we will have additional 167's approved to provide staffing for the electronic monitoring.

LEG. CARACCIOLO:

And do you know when?

DIRECTOR DESMOND:

No, I don't.

LEG. CARACCIOLO:

Okay, because that's really a crucial question. We have all year in the Legislature been witness to the administration making claims that they're releasing SCIN forms, it started in March when I first raised the issue; at that time we were told 75 SCINS were released, the number went up, the number went down. I'm not sure, quite frankly, what the number is, maybe Budget Review can try to give me a current number of how many SCIN forms have been released, but more importantly when and particularly in the Probation Department.

MS. VIZZINI:

Based on the information we received from the Budget Office ••

LEG. CARACCIOLO:

Hold on, Gail. Okay, go ahead, Gail, I'm sorry.

MS. VIZZINI:

Based on the information we received from the Budget Office, there are 12 approved SCINS •• unless someone from the County Executive's Office has additional information •• that relate to 41 existing vacancies.

LEG. CARACCILO:

Do you know when those SCIN forms were released?

MS. VIZZINI:

No, that detail is not provided.

LEG. CARACCILO:

Mr. Zwirn, could you come up, please?

MR. ZWIRN:

Good morning.

LEG. CARACCILO:

Good morning.

CHAIRPERSON CARPENTER:

Good morning, Ben.

MR. ZWIRN:

Okay.

LEG. CARACCILO:

Hi. Could you answer those two questions; first with respect to the Probation Department and the 12 SCIN forms, when were they released?

MR. ZWIRN:

I don't know, we can check and I can find out, I can make a quick ••

LEG. CARACCILO:

Okay. And year•to•date, do you know how many SCIN forms and ••

MR. ZWIRN:

Across the board?

LEG. CARACCILO:

Across the board and can you provide us with a printout of what departments.

MR. ZWIRN:

Sure. Do you have that, Gail, how many SCIN forms have been released?

MS. VIZZINI:

Twelve.

MR. ZWIRN:

But just in Probation, across the board.

MS. VIZZINI:

Oh, yeah.

MR. ZWIRN:

Budget Review probably has that information, but I can double check with the Budget Office across the street as well.

LEG. CARACCILO:

All right, if you could fax it to my office later today, I'd appreciate that.

MR. ZWIRN:

Oh, absolutely. Sure.

LEG. CARACCILO:

And do you know ••

CHAIRPERSON CARPENTER:

And I think to each of us, too. Thank you.

LEG. CARACCILOLO:

As you know, Ben, I have been very outspoken about the fact that we have heard testimony all year long by the administration about its desire and intention to release positions and yet for the most part that hasn't happened. And even the civilianization program in the Police Department which has been touted by this administration for more than a year and a half, it hasn't happened. And I think it's time that the Legislature really hold this administration's feet to the fire about these personnel needs in every department. So I just share that with you once again. As a former Town Supervisor, I know how important you know these positions are to government.

MR. ZWIRN:

Don't ask me, I cut the staff by 43%, so I'm the wrong guy. We didn't release SCIN forms, we didn't hire anybody.

LEG. CARACCILOLO:

That's why you're not there anymore, Ben.

MR. ZWIRN:

No, that's why I was there. That's how I got reelected.

LEG. CARACCILOLO:

Not•for•profits.

CHAIRPERSON CARPENTER:

Well, when you're checking those positions, Ben, also, too, with the Health Department, I'm understanding that permits are now back to a 14 week backlog and that is totally unacceptable. As builders and developers are trying to get things going before the winter really sets in, a 12 to 14 week delay really translates into a six month delay. And I know that the County Executive, you know, made a commitment to try to loosen that process up a little bit and has been working towards it.

MR. ZWIRN:

I think they did make •• I know Legislator Losquadro raised this yesterday and I'm going to check on it when I get a chance back at the office, because I know we did make •• progress had been made and now you're telling me that it has slipped again and I'm going to double check.

LEG. LOSQUADRO:

Yeah.

CHAIRPERSON CARPENTER:

Thank you.

MR. ZWIRN:

I believe you, but I just want to find out.

LEG. LOSQUADRO:

As you said, this had been raised yesterday at the Health Budget meeting, this was discussed at length. And I thank Legislator Carpenter for bringing it up because, as was discussed yesterday, this is something that does need to be addressed, it's an immediate problem and it's something that's effecting homeowners and the businesses throughout Suffolk County. So I'm glad you're on top of it.

MR. ZWIRN:

No, I agree. And I just got some information from Budget Review and, Gail, do you want to just say ••

MS. VIZZINI:

Based on the file that the Budget Office provided us after the budget was released, there are a total of 381 approved SCIN forms, 265 are nonpublic safety and 116 are public safety; public safety is Police and Sheriff. Probation has 22 earmarks, but 20 of them are vacant Probation Officer titles that are shown as earmarked to Probation Officer Trainee which is a very common way to show the earmarking; usually they're hired as trainees and then promoted to Probation Officer.

CHAIRPERSON CARPENTER:

Okay, thank you. Legislator Kennedy. And we're trying to stay on Probation, okay?

LEG. KENNEDY:

Thank you, Madam Chair. As a matter of fact, I will limit it just to Probation. One is a fairly, I guess, simple question, John, and then the other one is I'd ask you to speak a little bit about the PINS Diversion and pages 305 and 306 and what your expectations are.

But one of the very first issues that I had an opportunity to go ahead and be somewhat involved with was outfitting of your personnel with body armor, and that goes back to November of 2004 when the issue first surfaced. And I really would like to know from you at this point where that initiative is. Twelve months have come and gone, almost twelve months have come and gone; do any Probation Officers have any new jackets yet?

DIRECTOR DESMOND:

I don't know at this moment if any new ones have arrived. I know they've been ordered and there was a significant backlog because of a liability issue with one of the manufacturers. I know it's in the pipeline, but I don't believe that any of the officers have received new body armor, we're still using what we've got.

LEG. KENNEDY:

Okay. I have to be candid with you, I, you know, have very little prior background in law enforcement or criminal justice or anything like that, but I find it absolutely amazing that eleven and a half months can go by and •• we buy all kinds of things as a County, you know, from paper towels to heavy equipment, everything like that, why •• I can't really quite fathom why it would take eleven and a half months to put a bulletproof vest on somebody.

DIRECTOR DESMOND:

My understanding of the situation was that the firm that we were using to go purchase the vests from, those vests apparently had some problems stopping certain calibers of weapons and as a result we •• ourselves and a number of other agencies switched to other vendors and that kind of created a shortage in the system. Again, it's in the pipeline, the orders have been made, we just have not received them yet.

LEG. KENNEDY:

Obviously, I mean, I don't want to beat a dead horse, we have several other law enforcement agencies here and perhaps •• I hope it's not the same thing that they're encountering as you are.

DIRECTOR DESMOND:

I believe the Police Department made the better choice of vendors a few years back and I don't think they're having that problem.

LEG. KENNEDY:

So then that even confuses me even more so. In other words, we don't have a standard for jackets at this point across the board?

DIRECTOR DESMOND:

I don't believe so; no, there's a number of different vendors.

LEG. LOSQUADRO:

Hold on.

LEG. KENNEDY:

You know what? All right, again, I don't want to go •• I need to speak to somebody else about this then, maybe it's purchasing, maybe it's Ben, maybe it's somebody out of the administration. But as I've said, you know, coming from a common sense perspective, it is another one of those areas where I look at it and I just say to myself there's no rhyme or reason here. This just does not make sense, that people who go out and who have to engage in, you know, people who have done hard time, who are dangerous individuals, these County employees are eleven and a half months, after we identified that it's an issue, still without remedy; it boggles my mind.

MR. ZWIRN:

I think the standards are ••

LEG. LOSQUADRO:

Just hold on one second.

MR. ZWIRN:

Sure.

LEG. LOSQUADRO:

I was just going to ••

CHAIRPERSON CARPENTER:

Is he done?

LEG. LOSQUADRO:

I believe so.

CHAIRPERSON CARPENTER:

You need to really go through the chair and let's try to ••

LEG. LOSQUADRO:

I apologize.

CHAIRPERSON CARPENTER:

Okay. Are you done, John?

LEG. KENNEDY:

Well, I was going to ••

LEG. LOSQUADRO:

I was just going to address the standards issue.

LEG. KENNEDY:

I'm finished with that issue, I was just going to ask John to speak a little bit about the PINS diversion.

LEG. LOSQUADRO:

On this issue, though, if you would suffer an interruption.

CHAIRPERSON CARPENTER:

Go ahead.

LEG. LOSQUADRO:

I apologize, Madam Chair. And again, this is one of those times where I'm just sort of a cesspool of useless knowledge. But as far as uniform standards go, there is one, two, three, 1A, 2A, 3A as far as uniform standards for threat level resistance on bulletproof vests, if a vest doesn't •• if recent testing has shown that a vest does not meet a certain category that we're buying it for, then I'm assuming we have to go out and look for a new vendor and that might encumber a new contract, new RFP, I understand. So there is a uniform standard, it's something that is tested nationwide and they have to adhere to certain criteria. So I just want to offer that, that's all.

LEG. BISHOP:

Packing?

LEG. LOSQUADRO:

Useless knowledge.

LEG. KENNEDY:

Thank you, Legislator Losquadro. Thank you, Madam Chair. And I guess the only other area I'll just ask you to go ahead and talk to us about is from where you sit now, based on this major change as far as the PINS program goes, do you have any ability to go ahead and give us your thoughts as to whether you can adequately address these changes now?

DIRECTOR DESMOND:

I believe that we can and we are. The change in the legislation caught everybody by surprise back in April, we've all been running to catch up ever since. The key component on all of this is basically that PINS has been decriminalized, deinstitutionalized, and the State has put through a series of laws to keep PINS from going to •• before a Family Court Judge unless there's very unusual circumstances. A lot of diversion programs have been created in response to change in the legislation. AFI, Alternative For Youth was the one that was funded in '05, that went on•line

October 1st, that so far has been very successful. We have moved staff around to put additional staff in to handling the PINS situation.

On November 1st Family Court will stop issuing warrants for runaways, for PINS children; that's going to have a very major impact on the system. What's going to happen is they're now going to be treated as missing persons and the primary responsibility will be handled by the Missing Person's Unit at the Police Department. We've been working very closely with the Police Department to set up effective remedies for when these children are picked up by Missing Persons. Instead of using non-secured detention for these cases as has been normally done in the past, we're going to be using Seabury Barn which is a runaway facility, we're going to be using what I refer to as TILSIPS which is transitional living programs, 16, 17 year olds. And we're going to be setting up through Social Services new respite programs so that children that are supposed to be brought back to their families who are in runaway status, if the families concur, can go into a respite program for a few days so that we can provide services to the child and the families.

LEG. KENNEDY:

Seabury Barn runs at almost a constant, hundred percent bed capacity, so how are we going to go ahead and put these youth in some place that's currently constantly filled just by virtue of the fact that they're adolescents who are out of a family, adolescents who may have mental health problems, adolescents who have other things. We're now adding to this organization yet another stream, if you will, based on the fact that they're moving through the •• it's not the criminal justice system.

DIRECTOR DESMOND:

Right, they're being diverted from the Criminal Justice System.

LEG. KENNEDY:

Right. Where are the beds going to come from?

DIRECTOR DESMOND:

The beds initially will come from respite through DSS and from TILSIP of which there are a few beds, and then the other location, until December 31st, will be Montford House; Montford House we designated as our interim respite facility.

LEG. KENNEDY:

I'm not familiar with that facility; how many beds is that?

DIRECTOR DESMOND:

That's 12 beds.

LEG. KENNEDY:

And do you anticipate •• I mean, based on what your track record has been as far as placement of youth previously, is that going to be adequate to address this?

DIRECTOR DESMOND:

Well, we're in a whole new ball game because we're no longer dealing with warrants from Family Court. We don't know how many children are going to end up coming into this system as missing persons and needing to be housed and not being returned to their parents. Our numbers since the implementation of the new PINS legislation, our numbers in non•secure detention have been falling. In October we used Hope•Free Youth for non•secure detention, that was somewhat filled. Montford House, when we used it for non•secure detention, we only had two children in there so far in October, so it looks like the numbers are falling. And we're hoping with the addition of respite beds and the temporary expedient of using Montford House as a respite facility to the end of December, that we'll be okay on this. We seriously will not know the long•term effects of this program until some time in the middle of next year.

LEG. KENNEDY:

Which is •• I can appreciate, I'm not asking you to go ahead and give us concretes, yet we're looking at adopting what our budget footprint is going to be for next year, obviously we can make changes during the course of the year if we need to. I guess my questions really are as to whether or not we're going to have adequate placement. I see that there is something that's being eliminated on Griffing Avenue; I wasn't even aware that we were housing youth on Griffing Avenue.

DIRECTOR DESMOND:

One second. Oh, okay, I'm sorry. All right, I just needed a confirmation. It's not our intent to eliminate the Griffing Avenue facility. We have •• at Griffing Avenue and over at Hauppauge, we have two secure, small emergency detention facilities, we can house two children at Griffing, we

can house maybe three at Hauppauge. That's not normally used for non•secure detention or respite. This is because we don't have a children's shelter in Suffolk County and when all the children shelters in New York State are filled, we activate those emergency facilities. The only reason that it's mentioned in there as being eliminated, DPW at some point wants to turn that area into a parking lot, but we don't have a time frame on that yet.

LEG. KENNEDY:

Tell me more specifically, then, because I'm familiar with the Riverhead area having worked out there for eight years. Where specifically is this; is this •• this isn't the old Cornell Cooperative building, is it?

DIRECTOR DESMOND:

No, no, no, this is a prefab that is connected to the old court building on Griffing Avenue.

LEG. KENNEDY:

Oh, all right. The last question on this is are any of these youth being sent to out•of•state facilities at this point? I mean, we recently saw some stories in the newspaper that were just absolutely horrendous. Are any of the youth involved in this program being shipped out?

DIRECTOR DESMOND:

The whole idea of this program is to keep PINS from getting to Family Court. Parent PINS, historically, if they get to Family Court and they go before a Family Court Judge, are the ones most likely to be sent out of state. The reason for that is because they often have very severe psychological problems and there are not a lot of institutions in the State that they can be placed in, so the Family Court Judges have historically gone to out•of•state placements. Recently the Family Court Judges have indicated to me that they are having some concerns about the out•of•state placements and would like not to have to seek that alternative. Again, the idea of the PINS legislation is to keep as many children as possible from going before the Family Court Judges. How that's going to work out, I'm not sure. We're going to need six months to a year to see if these children keep circling back into the system until eventually they get before the Family Court Judges.

LEG. KENNEDY:

Okay. Last question in this area, it talks about some kind of discussions going on with Nassau about leasing a wing from them for the juvenile facility?

DIRECTOR DESMOND:

Yeah, we've not really gotten any further with Nassau. They're supposed to come back to us with a cost proposal of how much it will take to bring that wing back to a usable status; I was hoping to have that information back during the summer but it hasn't been forthcoming.

We believe there may also be another alternative. My understanding is that some non •governmental agencies are looking to develop an alternative secure location in either Suffolk or Nassau County to offer to both counties, I believe that's just in the discussion stages. But that's where those two situations are.

The problem is either way we have to approach OCFS, Office of Children & Family Services, State of New York, for permission to expand the number of beds in the State to utilize any facility.

LEG. KENNEDY:

And when that discussion has gone on previously, they have withdrawn from consent.

DIRECTOR DESMOND:

Correct.

LEG. KENNEDY:

Which seems kind of •• well, again, I don't want to get into that.

CHAIRPERSON CARPENTER:

All right, that seems another discussion for another day. We really need to stay on budget, we've got three or four other presentations coming forward, so.

LEG. KENNEDY:

Thank you, Madam Chair, for suffering the questions.

CHAIRPERSON CARPENTER:

Okay, thank you. John, if you would just tell me where is Montford House located?

DIRECTOR DESMOND:

Montford House is located in Port Jeff Station.

CHAIRPERSON CARPENTER:

Okay, thank you. I think that should do it. Thank you very much.

DIRECTOR DESMOND:

Thank you. We appreciate your time and your support.

CHAIRPERSON CARPENTER:

Good luck on your trip to Albany.

DIRECTOR DESMOND:

Thank you.

CHAIRPERSON CARPENTER:

Next we'll bring up the Sheriff. Before we do, we have just one card and I'm not quite sure, it just says public safety so I'm not sure what the issue is that the person wants to touch on, so I think we'll just bring up the card. Evelyn Blinn, you have three minutes, so why don't you come forward.

MS. BLINN:

My name is Evelyn Blinn, I'm a County worker of 37 years and a union rep. However, I'm not here for either one of those subjects, I am here on a personal level.

In July of this year two women in Holbrook were attacked in their bedrooms at night and the perpetrator escaped. The first woman was 18 years old, she fought him off and that was that. Three days later another woman was attacked in her bedroom, he entered an unlocked door, punched her in her face, broke her nose as she was awakening and attempted to assault her; he also escaped. The police were very good, they were on the spot. Detective Connelly of the 5th Precinct has been very good about keeping people informed. The reason I know about the second •• one of the woman, it was my daughter. Two, three days later a person was picked up and arrested because he had done an another minor •• well, assault of two women on the street, he had a previous record. However, it was •• I'm sorry, I'm a little nervous.

LEG. LOSQUADRO:

Don't be.

MS. BLINN:

Sealed because he was a minor at the time. However, he was out, he was 19, they did a check on his background and he had the same MO, he lived in the neighborhood and they were 95% sure that this person was the attacker. The ME's office, after about a month, there was no DNA back because they took all the bedding and everything after the attack.

I called a friend of mine and asked who can I speak to to get this process going and I tried calling and they said they assured that they were going to do the best they can •• could. Two months went by and Legislator Lindsay was called by myself and he was wonderful, he made a phone call to the ME's office and he got back to me the same day. Two weeks later, two weeks after this, because nothing had happened, my daughter called me saying that the person that they had in custody that they believed was the person that attacked both the women was let go because he did his 60 days in jail. He was only •• DNA was only taken from him three days prior to him being released.

I'm not here blaming the ME's office, I'm here begging you to please give them the staff that they need to do their job well, because apparently there's not enough staff members. I work under •• sorry.

CHAIRPERSON CARPENTER:

It's all right, go ahead.

MS. BLINN:

I work at the Day Reporting Center here in this complex, I work at Probation, I know that they get their DN •• excuse me, they get their toxicology reports back in five to seven days and yet when a felony is done, is committed, this crime, why does it take •• even now there's still not enough evidence, or there was no DNA results. Samples were taken from my daughter and her boyfriend to rule them out, yet there are samples that are still questionable. I just •• I don't know what I need to say to plead to you to please fill the positions, whatever they need. You just put a criminal back on the street to be •• to attack another woman.

CHAIRPERSON CARPENTER:

Mrs. Blinn, thank you very much for coming down. And I'm sure that this was very painful for you to share and I really appreciate your courage in doing that because what you've done is put a face on what we •• when we deliberate over budgets and positions and do we need to fill it or not fill it, you've given us a real reason for why it is so important. Legislator Nowick.

LEG. LINDSAY:

May I talk as well, Angie?

CHAIRPERSON CARPENTER:

Sure.

LEG. NOWICK:

I know we can't question the public, but this is a very interesting point you're bringing up.

CHAIRPERSON CARPENTER:

Yes, you can.

LEG. NOWICK:

Is that all right? You're telling me that it took how long before you got •• from start to finish, how long was it before you actually got the results of the toxicology reports?

MS. BLINN:

Over where I work?

LEG. NOWICK:

Yes, you never got it.

MS. BLINN:

I'm sorry?

LEG. LOSQUADRO:

No, the DNA they never got.

MS. BLINN:

The DN •• we're talking about two different things, I'm sorry.

LEG. NOWICK:

Okay. How long was it before you got the results that you needed?

MS. BLINN:

We still haven't.

LEG. NOWICK:

From the Medical Examiner's Office.

MS. BLINN:

That's correct.

LEG. NOWICK:

And when was the date of occurrence, the first date before the Medical Examiners got it, tell me what the date was.

MS. BLINN:

Well, the attack happened on July 12th. I believe it was about two weeks after that that my daughter and her boyfriend had given their samples of DNA so that they could be ruled out, and I believe that part had been done after 60 days. However, I was told by the Detective's team that they're still •• it's pending, it's not a closed file yet.

The other issue is that they had •• some lady on the street had taken a picture of this same gentleman, same man that they had in jail, she took a picture of him taking pictures of someone, the women coming out of the laundry mat in Holbrook, so he was stalking them. He had to know where they lived, that they lived alone, when they were going to be home, but they •• when they had his cell phone, they claimed they needed the DNA results to get a court order to unlock his phone to get Verizon to come in and unlock his phone to see that at least there was a connection of him and the two women that he attacked; however, that never came to be either.

LEG. NOWICK:

When I'm thinking about this, we have questions and I don't believe we can get the answers in Public Safety, but yesterday was Health •• was it Health & Human Services; would this not be a question for Dr. Harper to find out about the Medical Examiner's Office and what the delay is or is that •• where is the avenue?

CHAIRPERSON CARPENTER:

I think that perhaps ••

LEG. LINDSAY:

I've got a more pertinent question, if I could interrupt you.

LEG. NOWICK:

Sure, go right ahead.

LEG. LINDSAY:

Did you ever get the DNA sample back from •• did they ever get it back from the Medical Examiner?

MS. BLINN:

I spoke with the Detective's team yesterday and as far as he knew •• and I didn't speak with Detective Connelly personally because he had something that he was busy doing, he was out of the office for a few days on some assignment. As far as I know, the only things that they did is rule out my daughter's and her boyfriend, there are still DNA samples that have not been completed, that was my understanding.

LEG. LINDSAY:

And this is from ••

MS. BLINN:

July 12th.

LEG. LINDSAY:

•• the person that they locked up.

MS. BLINN:

No. I'm sorry, it was the samples off the bedding. They took his DNA three days prior to him being released, I don't know about that part of it.

LEG. LINDSAY:

But as far as you know, that comparison was never done.

MS. BLINN:

As far as I know.

LEG. LINDSAY:

Okay. And forgive me, I think you called my office in the beginning of August.

MS. BLINN:

Yes, I did.

LEG. LINDSAY:

We called the Medical Examiner and we were told that the results of those tests would be expediated.

MS. BLINN:

That's correct.

LEG. LINDSAY:

For you not to have them or for the Police not to have them at this time is about absolutely outrageous.

MS. BLINN:

Thank you.

LEG. LINDSAY:

And I don't know what we have to do. I realize it's in another committee but, you know, I would really like to hear from PD if this is a problem. I have had a couple of other complaints

having to do with the Medical Examiners about, you know, not necessarily in a criminal case but other results not coming back in a timely manner.

LEG. NOWICK:

Legislator Lindsay, can I just finish my question?

LEG. LINDSAY:

Go ahead, I'm sorry.

LEG. NOWICK:

No, it's okay, because I'm very interested in this as well because I have had some interaction also. And I wondered •• this is not the appropriate time, I'm assuming, Madam Chair, but maybe down the line we need to ask questions about what takes so long for toxicology. Once the toxicology report is performed, what takes so long for the Medical Examiners to write their reports? And after their reports are written, what takes so long for that? This sounds like •• this is a criminal matter and this sounds like time should have been of the essence, correct?

MS. BLINN:

Yes. And I had spoken to a former ADA and he said to me that this takes priority, a felony takes priority over everything. The only thing that takes priority over a felony is a homicide and there was not a lot going on at that time in Suffolk County, nor is there usually. It's not toxicology, it's DNA testing and I know it's involved and I know it takes a lot of work and I'm not blaming the Medical Examiners ••

LEG. NOWICK:

Thank you, I understand that now.

MS. BLINN:

I'm sorry?

LEG. NOWICK:

Thank you.

MS. BLINN:

You want me to stop?

LEG. NOWICK:

No, I think that I've gotten some of the information I want. I just think it's probably time, as Legislator Lindsay says, to probably just ask some questions but not in this committee at this moment.

CHAIRPERSON CARPENTER:

Well, what we'll do, when the Police Commissioner comes up we'll ask if this is a problem in other areas for him. But again, thank you for coming down.

MS. BLINN:

Thank you for your time.

CHAIRPERSON CARPENTER:

And I'm sure through Legislator Lindsay, when we do get some information, he will contact you.

LEG. LINDSAY:

Well, just on the staffing issue, we were just looking through Budget Review's and it looks like they're only looking for one position in the Medical Examiner.

LEG. NOWICK:

That's why I asked the question.

CHAIRPERSON CARPENTER:

Thank you.

LEG. LINDSAY:

Something is wrong there.

CHAIRPERSON CARPENTER:

Okay, thank you very much. Sheriff?

SHERIFF TISCH:

Good morning. At this time I would ask to have your indulgence while I ask my Chief of Staff,

Alan Otto, to make some brief remarks with regard to the budget.

CHIEF OTTO:

Good morning. We would like to take this opportunity first to thank the members of the Legislature for affording us the opportunity to address our concerns with the 2006 Recommended Operating Budget for the Sheriff's Office. We'd also like to thank the members of the Legislative Budget Review Office for their hard work in preparing this detailed analysis.

BRO has made 12 separate and distinct recommendations; the Sheriff's Office supports each one. One recommendation suggests that six new sworn positions be included in the adopted budget, two Deputy Sheriff II Investigators and one Deputy Sheriff I Investigator should be added to the Criminal Investigations Bureau. Three Deputy Sheriff I Investigators should be added to the Family Court Bureau and the Sheriff's Office has requested these positions in previous operating budget requests. These positions would not only reduce overall overtime, but more importantly would disperse the overtime of those who work among individuals of the same rank and within the same commands. This would prevent any one individual from being able to obtain the levels of overtime they may currently work due to a lack of supervisors being assigned, as in the case of CIB, or not having the proper staffing levels. As a direct result of increasing our workforce in 2004, we were able to reduce overtime significantly going from \$18.3 million in 2004 to an estimated 5.8 million for 2005.

BRO further recommends reducing funding for out-of-County facilities by \$1 million this year and another \$500,000 in '06. While the Sheriff's Office is cautiously optimistic that these levels can be achieved, they can only be achieved if the prefabricated membrane structures are operational this year.

And finally, the continuation of Deputy Sheriffs for patrol and security at Gabreski Airport has been covered in detail by BRO. In this day and age, all we have to do is just ask ourselves two questions, what is legal and what is right for public safety in Suffolk County? Is it legal now for security guards to patrol and provide security for Gabreski Airport? I personally don't think that it is. In the very near future will it be legal for security guards to patrol and provide security for Gabreski Airport? Personally I doubt it and I am more than certain that security will, in fact, be enhanced. More importantly, what is in the best interest of public safety for Suffolk County residents? To have security guards provide this incredibly important national and local security functions or to have trained police officers? The answer would be let common sense prevail.

In summary, we would just like to put on the record that we agree with all 12 recommendations made by the Budget Review Office. We respectfully request that this Legislature endorse each and every one of these recommendations. Those that we elaborated on were not necessarily the most important ones, rather they were ones that we felt needed a little more clarification or discussion. This concludes our presentation. We would be happy to answer any of your questions.

CHAIRPERSON CARPENTER:

Thank you, Chief Otto. Does anyone have any questions?
Legislator Losquadro.

LEG. LOSQUADRO:

Since you mentioned it, what do you feel is the likelihood of those prefabricated membrane structures being on•line this year? You said it was that goal of achieving that reduced number is dependent on that, so I would just like your take on the progress.

SHERIFF TISCH:

Legislator Losquadro, as you are probably aware, we rely upon DPW to give us estimates. Unfortunately, because of Hurricane Katrina which went roaring through the Louisiana area, one of the facilities that was constructing parts of that planned stressed membrane facility were being assembled there. My understanding is they moved that part of the operation to an area outside of the hurricane damage, it delayed it but it is not going to prevent it from being opened some time between now and the end of the year. I think the last time I spoke to DPW was last week and they were hopeful by the end of November, but that's just ••

LEG. LOSQUADRO:

That's good news.

SHERIFF TISCH:

•• contemplation.

LEG. LOSQUADRO:

I was afraid they were part of the Gulf of Mexico now. Thank you.

I appreciate the update.

CHAIRPERSON CARPENTER:

Sheriff, I'm not sure, there was a comment in BRO's report about lengthy discussions being •• and this is in reference to the Deputy Sheriffs at Gabreski, and I for one wholeheartedly agree that that is appropriate, not security guards. But there was a comment made that there were lengthy discussions with the TSA indicating that in the current environment that the recommended guidelines will most likely become requirements in the near future. Who had those discussions, was it the Sheriff's Office or was it BRO? Jim, do you want to shed some light on that?

MS. VIZZINI:

Yeah, we had some discussions with the TSA.

SHERIFF TISCH:

The Sheriff's Office also did. We were led to believe that although the Federal guidelines are not mandated yet, that they probably will be, number one. And that number two, the State of New York has recommended very strongly that we abide by those Federal guidelines, I think it's just a matter of time. We have the largest airport which is a general aviation facility to New York City in Gabreski Airport, it has the longest runways in the region other than Kennedy. To think that it would not be an appropriate place for a terrorist to use for an attack on New York City would be foolhardy.

CHAIRPERSON CARPENTER:

Well, I agree. And I think that for us at this point to make a change, put security guards only with the very likelihood that it would have to be changed again in the future would be kind of a waste, and if it ain't broke don't fix it. Are there any questions?

LEG. KENNEDY:

One question.

CHAIRPERSON CARPENTER:

Legislator Kennedy has one question.

LEG. KENNEDY:

Well, we'll see. Hello, Sheriff. How are you?

SHERIFF TISCH:

Good morning, sir.

LEG. KENNEDY:

Good morning. In the facility section of BRO's report on 358, actually the question is •• maybe it would be more appropriate for DPW, but it goes to the DWI facility. I'm curious as to the language that's in there about is there one being constructed at this point and the contract has been defaulted; will we abandon this and just wait for the new jail?

SHERIFF TISCH:

Actually, this was a three step operation. Number one, the Legislature and the County Executive were aware that the existing DWI alternative facility is falling down and it really can't be saved. The Legislature and the County Executive several years ago put a Capital Project together to construct a new free•standing DWI Alternative Facility.

I was there for the groundbreaking, everything was moving along swimmingly, and then the contractor defaulted. At or about the time the contract was being defaulted, the plans for the new facility in Yaphank were being formulated, we were asked by members of this body as well as the DPW and County Executive's Office if we would have any really, really strong objections to not completing that building as a free•standing DWI alternative facility, rolling that project into the new facility, utilizing it for non•inmate housing. It would be used for administrative purposes, for staffing, etcetera. And that a dedicated wing of the new facility would, in fact, contain the DWI alternative facility. Since no plans have actually been approved by the State Commission yet, we don't know where that's going, but it seems that that's the direction that DPW and the County seem to be heading in, to incorporate DWI as a separate pod in the new facility and utilize that existing space that's about halfway built for other correctional purposes.

LEG. KENNEDY:

So that, in essence, does answer what I was asking. In other words, this is some piece of construction that's just been stopped midstage, I guess ••

SHERIFF TISCH:

Yes, sir, absolutely.

LEG. KENNEDY:

•• pending whatever the resolution is going to be.

SHERIFF TISCH:

What was happening there is the State Commission had told us that if this was not hardened that the •• there would be a very limited purpose for which we could use it, it would only be for the low level DWI alternative people. That in the event in the future the Sheriff's Office and County government wanted to expand the utilization of that building for other addictive programs such as drug dependent people, we couldn't do it unless the building was strengthened, the windows, the ceilings, all of that kind of thing; it was going to be very expensive. So since we're doing new construction for a facility anyway, we don't have to spend that money there, we can role the project in to the new facility.

LEG. KENNEDY:

Okay. And then just as a final question to this, we heard •• we had extensive conversation yesterday with DPW about the latest addition associated with cost estimate for the jail construction, and it was predicated, I guess, on better specs, materials, things such as that. They also talked about inclusion of some additional common areas?

SHERIFF TISCH:

Yes.

LEG. KENNEDY:

That is in concert with, I guess, what you were seeking to go ahead and have done, all on the same page?

SHERIFF TISCH:

Yes. I believe that •• I think everybody is pretty well on board with the fact that there are certain necessities that have to be incorporated into the new jail, programmatic spaces, support spaces, infrastructure, etcetera. And I think that the architects and DPW have all of those things properly in mind and whatever facility is ultimately planned, with the permission of the State, will be the most affordable and most user•friendly operationally efficient facility that we can foresee.

LEG. KENNEDY:

If I can just suffer one more question to BRO, then. The Sheriff refreshed my recollection, we actually did take some action earlier in the year concerning the possibility of enhancing this DWI facility; is that correct, did we do a resolution that would appropriate additional funds, concrete ceilings, things such as that?

MS. VIZZINI:

As the Sheriff accurately describes, it is an evolving process. We did add monies thinking that we were going to upgrade some of the windows and things like that, but there has been a departure. Now a DWI is one of the •• is incorporated into one of the pods.

LEG. KENNEDY:

So that resolution was an enhancement to an existing Capital Project?

MS. VIZZINI:

Yes, it was.

LEG. KENNEDY:

Okay, so that Capital Project sits for us to go ahead and decide how we're ultimately going to resolve it.

MS. VIZZINI:

Yes.

LEG. KENNEDY:

Okay, thank you.

CHAIRPERSON CARPENTER:

Thank you. Legislator Bishop.

LEG. BISHOP:

Good morning, Sheriff. I suspect that Chief Otto might be in a better position to answer this question than you. On page 345 of our report, I don't know if you have that, there's this chart of filled positions showing a long-term trend. It shows that in 1993 the number of CO's was

about 540, today it's just short of 800; that's like 60% more CO's in the last decade or so. And similarly, with the Deputy Sheriffs, in 1993 it was about 140, 150 and today it's about 250, that's 70% again. As your institutional memory, in 1993 what •• how were we funding operations of the department, entirely on overtime? It just •• that's such a large increase in staff, it seems remarkable that we still have any time overtime given that we have increased the number of staff 70% in one •• for Deputy Sheriffs and 60% for CO's. What's going on? That's what I want to know.

CHIEF OTTO:

Well, I can't answer for 1993.

LEG. BISHOP:

I know, that's tough, I agree.

CHIEF OTTO:

Okay? What I could probably shed some light on is the fact that, number one, is that, you know, like with Correction Officers, we haven't reached minimum staffing levels yet that's required by the State Commissioner, we haven't been there yet, we haven't hired enough yet.

LEG. BISHOP:

Right. But the number of prisoners in 1993 was roughly the same, right?

CHIEF OTTO:

We have actually •• we actually had over eighteen hundred and I think fifty•one at one time, that's our high.

LEG. BISHOP:

Right, so we have less prisoners and 60, 70% more CO's.

CHIEF OTTO:

And our overtime ••

LEG. BISHOP:

•• and we still have overtime. So I just ••

CHIEF OTTO:

And our overtime at that time exceeded 18 million.

LEG. BISHOP:

And I don't think this is a Sheriff Tisch issue, I think this is some kind of larger trend. I don't know, is it the State that's demanding all this staffing as compared to what we used to have?

CHIEF OTTO:

The State has minimum staffing requirements. Like I said, we have not •• since I've been here we haven't met that.

LEG. BISHOP:

Have they changed dramatically?

CHIEF OTTO:

We've never met their minimums yet, so I don't think it changed that dramatically, we just never did that. And our overtime exceeded 18 million, we're down •• we're expecting a little bit over 15 million this year, so we're saving in overtime also.

LEG. BISHOP:

Earlier you said that overtime was only going to be five million; it's 15 million, right, for this year?

CHIEF OTTO:

Did I say five million?

LEG. BISHOP:

Yeah, you did.

CHIEF OTTO:

I'm sorry, 15 million.

LEG. BISHOP:

Okay. All right, so there's no answer that you •• on this long•term trend question that's easily arrived at. I just ••

CHIEF OTTO:

The one thing I could say, though, if we are permitted to hire, and we still haven't received the SCIN forms because we wanted to put a class of Correction Officers through in December, okay, which BRO is recommending January which we concur with if that's what they want to do. Only then, okay, we will be able, for the first time in the history, okay, reach minimum staffing levels as set by the State.

LEG. BISHOP:

Right. The •• speaking of the State, one of the more remarkable things to me is that we have, am I correct, to this day over a hundred State parole violators in our facility?

CHIEF OTTO:

About 80 maybe.

LEG. BISHOP:

All right, 80; why quibble? When do •• why? Isn't that the same as a State•ready? Shouldn't they be there, up there and not down here, and can we do something about that?

UNDERSHERIFF SULLIVAN:

If you don't mind.

LEG. BISHOP:

Sure.

UNDERSHERIFF SULLIVAN:

That's true Statewide by State law, State Corrections Law. When someone •• a parolee is a State prisoner on the street, but when a parole violation occurs, under State Corrections Law that has been on the books for as long as I recall and that's back 30 years and it predates that by quite a bit, they have to come into any local correctional facility until they have their parole hearing. If at their parole hearing, as frequently happens, they are remanded back into State custody, then we can transfer them to a State correctional facility. There is legislation pending in Albany which, quite frankly, was sponsored by the New York State Sheriff's Association, the

same folks that were here this morning for the accreditation, and Sheriff Tisch sits on the Legislative Committee of the State Sheriff's Association, and it is unanimously supported by every correctional facility, operator, Sheriff and city statewide to change that State law substantively so that when a parole violator is arrested either by a police officer or parole officer, that they can be taken to a State correctional facility and wait until their parole hearing then.

LEG. BISHOP:

How long is the wait for the hearing? I think that's the key question, is it three days later or is it three months later?

UNDERSHERIFF SULLIVAN:

No, no, no, no, it can be 30, 60, 90 days later, but it's not three days later, that's for sure. But there's no •• unlike the State•ready prisoner situation of several years ago when they were housing their prisoners at local jail's expense, Statewide by the way •• and I know you were familiar with that situation.

LEG. BISHOP:

Right.

UNDERSHERIFF SULLIVAN:

Legally they cannot be turned over •• the State Correctional Facility cannot accept that parole violator until the Parole Board rules on his case after a parole hearing and says, "Okay, fella, you're going back to State prison." You can't bring him to a State facility before that.

SHERIFF TISCH:

I must point out that when we did our survey in 2002 on addressing the overcrowding issues, one of the things that we looked into when we were successful in dealing with was the number of parole violators waiting for hearings in our facility. We reached out to the State, they sent down a SWAT team of people from parole and they went through the people in our facility and accelerated their hearings. They do this throughout the State. They really don't have the staff to be here on a daily basis to attend to these hearings the day the person is apprehended. Also, the attorney for the person who is charged with the parole wants some time to prepare the defense. In any event, we were successful in cutting down the number of people waiting for

their hearing substantially and we have monitored it and any time that we start to creep up again to numbers that we think are not controllable, we ask for their help.

I would like to be able to say that they would come down on a moment's notice, they don't. Since there are 62 counties in the State, they don't take up residence here just because I'd like them to. But they have been responsive and they have dealt with their problem. As Undersheriff Sullivan mentioned, we are very hopeful that the State legislation will enable us to defer any State parole violators from local facilities, that would really be a help to us. That, in effect, is an unfunded State mandate, other than everybody else in a facility which is a local issue.

LEG. BISHOP:

Where is that bill at, does anybody know?

UNDERSHERIFF SULLIVAN:

I discussed it with Colleen a week ago, I believe Senator Spano is the sponsor.

LEG. BISHOP:

Do we have any hope, in other words?

UNDERSHERIFF SULLIVAN:

Well, the •• I don't know the right answer to that, I'm not enough of a guru about ••

LEG. BISHOP:

Because we could set them straight ••

UNDERSHERIFF SULLIVAN:

•• Albany politics, whether or not •• it almost strikes me that any time you're trying to get the State to take over a bill they don't have now, it's an uphill battle in Albany.

LEG. BISHOP:

Sure.

UNDERSHERIFF SULLIVAN:

But exactly what the odds are of this passing, I know it enjoys very wide support, complete

support through the correctional operators, the Sheriff's Association and substantial people on the appropriate committees up in Albany, but what its odds are, I don't know.

LEG. BISHOP:

I mean, one of the things that would help passage, if we can •• by joining the debate by quantifying what that cost is to us of that population, I don't know if you have that now, but if you can get that for us ••

UNDERSHERIFF SULLIVAN:

We don't have it now, but it's not that hard to do.

LEG. BISHOP:

Because you know once we pass a Sense Resolution things are going to change, so we're going to get right on that.

SHERIFF TISCH:

Legislative Bishop, I've asked my staff to do an analysis of that and as soon as the figures are ready we can furnish it to you ••

LEG. BISHOP:

I would appreciate that.

SHERIFF TISCH:

•• and then the Legislature can do with it what they will. One thing I would point out is that there is a dichotomy here. As the State prison population has declined, local correctional facility populations have increased, that's true Statewide. So they have space, it's not a matter of the State being required to build space to take these parole violators. One thing that they will have to do, of course, is enhance their staff. If they infuse another several thousand people into the State facilities then they will have to have the staff to cover it, that's their problem and I hope that they deal with it.

LEG. BISHOP:

Thank you very much.

CHAIRPERSON CARPENTER:

Thank you. I also want to just direct everyone to 347 because I think Budget Review did a very good job of explaining the issue of the overtime in the fact that unlike other departments it is mandated with mandated staffing requirements. And also the fact that 53 Correction Officers will be eligible for retirement during 2006, they have 25 or more years of service. So I think for a number of reasons that was very clearly outlined by BRO, that the recommendation to add a class of 55 Correction Officers in addition to Deputy Sheriffs is certainly warranted.

MS. VIZZINI:

And this can be accomplished by filling existing vacancies, there are ••

CHAIRPERSON CARPENTER:

A hundred and thirty•one.

MS. VIZZINI:

Yeah.

CHAIRPERSON CARPENTER:

I've asked to have a standalone prepared, but I would hope that this might be something that we may have unanimity on in the working group to include in the Omnibus.

Are there any other questions of the Sheriff? Hearing none, I thank you very much, gentlemen.

SHERIFF TISCH:

Thank you.

CHIEF OTTO:

Thank you.

CHAIRPERSON CARPENTER:

Next we will have the Police Department, Commissioner Dormer and whomever you'd like to bring up.

Before we begin, Commissioner, I know Legislator Lindsay has an issue that he wanted to raise and he's facing some time constraints, as I'm sure you and we all are, but Legislator Lindsay?

LEG. LINDSAY:

Commissioner, you fellows were here and you heard the testimony from the woman from Holbrook; is that a trend that you guys are seeing? Are we experiencing a problem with the Medical Examiner as far as getting evidence processed?

COMMISSIONER DORMER:

Well, I should say that as we speak we're checking into this case right now to get an update and we will be able to update you before we leave here. Historically, as you should mention, thousands of DNA samples go to the ME's Office which comes under the Health Department, go in every week, every month. Not all of them are analyzed. We request that they be analyzed if there's a suspect, we have somebody that we want to eliminate, as in this case.

We don't know what happened; I don't have all the facts, as you know. But we are looking into it, I have the Chief calling the Detective Squad as we speak. The lady that gave testimony before, we got information from her so we can get back to her and see if we can expedite this particular issue. But it's the Health Department, it doesn't come under the Police Department, and I wasn't aware that this issue was out there with this case. I am familiar with the incident because I read all the serious felony incidents and it was a horrendous case.

LEG. LINDSAY:

And I believe that this •• that we've had a problem in the Holbrook area of late with this type of incident, I think it might be more than two break•ins. And my question really was if this suspect was released as a result of the other crime that he was evidently convicted of. I mean, as soon as these results come back, if it implicates him again it's a new case, right?

COMMISSIONER DORMER:

Yeah, we're checking on that now. And I know it doesn't have anything to do with the budget process, but it is a concern. We do have a task force that has been working in that area for the past number of weeks. We have made •• I'm not sure of the numbers, I read them yesterday, but it's like 40 arrests for burglary, for robbery. We have cleared up a large number of cases. The task force is still running, it's going to run another two weeks, they have done tremendous

work because, of course, we saw that as an issue or a hot spot with these kinds of cases, so we have responded to it. And that's part of our initiative under the comstat process, we call it something else but you understand it as the comstat where we identify an area that's being plagued by certain crimes. We do set up task forces, it's in operation as we speak, we have a lot of arrests, a lot of clearances. A few days ago they cleared up a number of burglaries including a burglary I that occurred in the 6th Precinct. So we're very much aware of what's going on out there and we are responding to it.

LEG. LINDSAY:

Okay. But the line of questioning, what I really want to know is that if the police are being stymied because of a delay in the Medical Examiner's Office, it's something that we would really like to know and to look at because we have to find out why, is it a staffing issue, what is the problem? So that's really what I'm interested in, is this an isolated case or •• I know within the last six months I've had two calls about the Medical Examiner in my local office, which is a lot, and I just wanted to know if that was a pattern County wide.

COMMISSIONER DORMER:

Well, I'm not trying to avoid the issue at this point, but ••

LEG. LINDSAY:

You just don't know.

COMMISSIONER DORMER:

No, I'd have to get some facts. And it does impact on another department and I think it would be appropriate to, you know, ask the questions of the other department head.

LEG. LINDSAY:

Okay, thank you.

CHAIRPERSON CARPENTER:

Okay, thank you. Commissioner, if you will comment on BRO's recommendations or analysis or anything else you'd like to bring forward, and then we'll open it up to questions.

COMMISSIONER DORMER:

Thank you very much. And I know the Sheriff left before I could congratulate the Sheriff's

Office on being accredited, that's a milestone for the Sheriff's Department in Suffolk County. And I should mention that the Suffolk County Police Department was also accredited this year, so two major law enforcement agencies became accredited in Suffolk County. You know, I will pass my remarks on to the Sheriff later, so I think that was terrific.

I would like to thank the Budget Review Office for all the work they do in preparing for these hearings. We appreciate it very much and I thank them.

Here with me today, I have Chief of Department Robert Anthony Moore, I think everybody knows the Chief. I have •• I'm not sure if the Chiefs are back there, I have Chief Webber who is Chief of Patrol; Chief John McElhone, Support Services; I have Deputy Commissioner Roger Shannon; I have Sue Vail who is an Administrator I, she works very closely on budget issues; Lieutenant Robert Scharf who works for Chief McElhone; Lieutenant Bill Reithmann who works for Chief McElhone; and Charlie Palmer who is a Principal Accountant, I think Charlie is a Principal Accountant; and we also have Donna Miles, Budget Examiner. So I appreciate their backup, if we have any technical questions I can fall back on them.

If I may, and I think that it would be appropriate and I appreciate the opportunity to mention some initiatives and some issues that we have that have occurred this year and that will impact on the budget, the Operating Budget for 2006. And this budget process, by the way, we find it •• and I know I think I speak for everybody, it's a very useful look at how a department operates and we appreciate this opportunity to speak to members of the public safety committee and to let you know what the return on investment is, business term, because it is a business that we run for the tax dollars that are being given to us through our elected officials from the people of Suffolk County.

Let me touch on crime because I think this is one of the •• you know this is one of the major missions of a Police Department is to control crime and disorder. As you know, for the second consecutive year Forbes Magazine has named this region the safest in the nation and for a good reason. For the first quarters of 2005, this year, all crimes, part one and part two, offences are down 6% in the Police District. This on top of the 9% for 2004 comes to a reduction of 15% in all crimes in Suffolk County in an 18 month period. I think that this reflects very, very favorably on the type of police service we have in Suffolk County. I should also mention that the Long Island Regional Planning Board which utilizes FBI statistics also agrees with the same figures

and the same reduction in crime.

Efficiencies and initiatives that we have instituted in the Police Department. And there are numerous but I'm not going to go through all of them, I just want to point out three major initiatives that have been accomplished so far this year. The false alarm initiative which we instituted ourselves while we were waiting for an alarm procedure to come in place, we have the ability and the authority to do this. We've reduced false alarms in Suffolk County for the first nine months of this year by 14,941 alarms, this translates into a savings in patrol time of \$261,467. This is real, real savings, because now officers on the street can spend more time responding to legitimate police related incidents rather than spending time on false alarms.

I should also like to mention how this process worked, because there may be some questions in people's minds. The people with egregious numbers of false alarms, businesses, and we concentrated on businesses, received a letter from the Police Commissioner advising them that there were some so many false alarms over a certain period of time and that it was obvious that there was something wrong with the equipment; "Please repair the equipment, otherwise we'll have to put you on a non-response list." Some businesses responded positively, they took care of the problem •• which is really what we wanted to happen because we feel that alarms do serve a very important public safety concern, we know that •• but a large number of them ignored the letter.

There was a follow-up within 60 days by a personal visit from a supervisor advising the business that you have now two weeks or 21 days to correct the problem; it was documented, the visit was documented, the person they spoke to was documented. If they didn't correct the deficiency in the alarm system •• and actually it was for the wrong benefit that they have their alarms working properly. If they didn't respond in a positive way, in a constructive way, we removed them from response, that meant the sector car did not respond; 14,941 of these businesses were removed from our alarm response. And the savings and also the increase in safety for the cops on the street and the citizens was increased.

And you can see that it may sound like a very harsh response to a problem, but I can tell you after over 30 years of experience in the policing business dealing with this issue, I knew from the experience of other jurisdictions, people to our west, Nassau County, New York City, that it was necessary to do this, otherwise we'd never get it under control. And it was wasting taxpayer dollars, it was wasting patrol time and it was endangering cops and also endangering

the people whose alarms didn't work.

The summer patrol initiative is the second one I'd like to mention, and I think most of you are aware of this. In the summer we canceled firearms training for the people, the officers who work in the sector cars. We said you can go for training in the fall and the spring, it has to be done yearly, but in the summer when vacations are high and people are off, we can't afford to be sending you for training and we can postpone it, that means we have more people in patrol cars. It also impacts on overtime because we don't have to backfill into the patrol cars. This is the second year that we did that initiative. We also, as part of that, any support units, what people would say are headquarters units like the Police Academy, Candidate Investigations, Pistol Section and so on, many other small units, every police officer and Sergeant that was assigned to these units had to go on the street for two weeks. They were transferred back to patrol and the police officers were assigned to patrol on foot in downtown areas to give a police presence in our communities, to also reacquaint the supervisors and the police officers with what police work is like out there today. Some of them hadn't been out of headquarters in years, so we thought it was appropriate that they get back to the street, back to doing the job that they were hired to do. Now, I don't want to minimize or down grade what they were doing in headquarters, it's a necessary function, but we felt that we could maybe have a backlog on paperwork and take care of our downtown areas.

This was very successful, by the way, and I'm sure that some of you here maybe have got good comments from your constituents. We figured out that •• there were 624, by the way, the Chief of Patrol keeps track of this, 624 eight-hour tours in that three month period that we garnered just from the transfer of people from headquarters or from the support units, what we call support units. That comes to a savings of \$249,600. It doesn't seem like a lot of money, you know, when you talk about a half of billion dollar police budget, but you know you get enough \$246,000 savings, eventually you're talking about real money. And I could tell you that the feedback I got from people on the street was that they loved it, we got cops walking in downtown areas, it gives people a sense of security, of safety, and that's part of the mandate or mission of a Police Department.

The third one, medical evaluation initiative. Again, it doesn't sound like a very sexy, you know, initiative. We unfortunately, because of the type of business we're involved in, have a lot of officers out injured; as we speak it's probably in the 120 range, from a minor injury to a long

•term injury because of the nature of the job they do. We hired two part•time MD's to speed up the process of having officers examined and certified to go back on the street. Under the old system, when we came on board we found that officers were waiting a month just to be checked and told they could go back to work; even though the officer wanted to go back to work, they cannot go back to work unless a doctor says you can go back to work. There was a backlog, we were losing a lot of patrol time. So from two weeks to three weeks waiting for an exam, we have it down to two and three days. We have a savings, because of that initiative, of eleven hundred and fifty•three tours, these are eight•hour tours, eleven hundred and fifty •three more tours on the street in 2005 over 2004.

We also created a new unit to work with the medical evaluation process and we call it the audit unit. This is a specific unit that checks on long•term, injured officers to verify that they're really injured and that they're not fit for •• or are fit for police duty, either part•time, light duty or limited duty or full duty, or that they're really injured. This unit has been very effective. We have a number of officers who unfortunately, because of laxness in the system over the years, had opted not to come back to work and were engaged in activities that they shouldn't have been engaged in under Workmen's Comp; we charged them with violations of the rules and procedures in the Suffolk County Police Department. You may also be aware that one officer was indicted •• I'm sorry, was arrested and charged and will be indicted by the District Attorney for falsely representing his injuries to the Police Department and to the Medical Evaluation Unit, that case is still pending.

These are very important for the integrity of the system, because the Workmen's Comp system, what we call 207•C for police officers and fire service people is very, very generous, it's very lenient for a reason, they're public safety people and the Legislature, the lawmakers have made it that way. We feel, and I'm talking about the police service feel that it's our obligation the maintain the integrity of that system for the officers who are legitimately hurt, every day protecting the people of Suffolk County. I've had officers tell me, "It's the right thing to do. They're making the rest of us look bad." And the savings, I'm not sure if I mentioned that, was \$461,200, just the savings from that initiative. A terrific return on investment, by the way, for hiring two part•time MD's to increase the ability of officers to get back on the street.

As a consequence •• the total, by the way, the total savings is just under \$1 million. If you were running a private business and you were the CEO and your managers came to you and said, "We saved a million dollars last year," you'd give them a bonus. I wish I could give my

people a bonus, but I tell them every day, "You're doing a terrific job." Now, that's the only bonus I can give them and they get the satisfaction of knowing that they're doing a good job for the people of Suffolk County.

As a consequence of the alarm reduction initiative, for the first time in living memory, nobody can ever remember when the calls to 911 have been decreased for the year, they have always gone up. And I'll get into overtime in a few minutes, it's like overtime and expenses and taxes, they all go up every year. I'm proud to say that our calls for service, the 911 calls which a lot of them are duplicates where somebody sees an auto accident or an auto crash and there's five calls, are down 6%. We've reduced the response by patrol to calls by 13,400 responses, these are CC numbers. That means that officers can now devote their time to issuing summonses, speeding, disturbances, omni•presence, they're spending more time on the street and that's a good thing.

I know that this is going to be probably one of the areas that, you know, there may be some questions about. Civilianization and redeployment. Now, I just wanted to go over some numbers because I think that if we mention the numbers it will make more sense to everybody. Over the past year, 2005, the County Executive has signed 74 SCINS for civilian positions in the department. Next year there will be 13 more signed, that's a total of, uh, 74 ••

CHAIRPERSON CARPENTER:

Eighty•seven.

COMMISSIONER DORMER:

Eighty•seven, thank you. Yeah, I have it here right in front of me; 87 SCINS signed for civilianization. On our own initiative, I just wanted to give you these numbers; nine officers were redeployed without SCINS in the Police Department since we came on board, nine officers were redeployed. We looked at the operation, determined that we didn't need a sworn officer doing what they were doing, we needed them on patrol, we needed them in operations, nine of them went back. Twenty•one desk officers in the precinct went back to patrol. The desk officers had, in many instances, three police officers on the desk per squad during the 8•4 and 4•12 or the 7•3/3•11 shift. We asked the Precinct Commanders could they live with less, could they live with two officers on the desk, and the answer was, "We could give it a try." And we did, we put 21, three per precinct, seven precincts, 21 full•duty officers went back to driving

sector cars; that's not an insignificant number of officers. They weren't civilianized at that time because we felt that we could do it with two officers behind the desk in a precinct.

Seven car officers •• in each precinct there was an officer, a full•fledged Suffolk County Police Officer handling car issues, making sure the cars were repaired, driving them to the body shop, making sure they were inspected and keeping a record of the vehicles and so on; we felt that this could be done by a civilian. It can be done by a Police Operations Aide who is authorized to drive police cars in their job description for a lot less money and we get these cops out on the street.

If you •• I should have mentioned that the three initiatives that I mentioned that I'm not going to go over again, but I just wanted to mention that if you factor in the amount of money saved, it comes to 13 police officers that we saved that are on the street that wouldn't have been on there if we hadn't done these three initiatives. It comes to 137 officers through redeployment, the initiatives and the civilianization that will be back on the street in 2006. It's not all completed right now. As we speak, 38 officers have gone back to our civilianization process, are back in operations; they're either in patrol or in other backup operation units in the Police Department.

I'm sorry, that's a good point. The Chief just reminded me that our estimate is that 38 will increase to 60 by the end of this year. The County Executive had signed the SCINS, but as you know in County government, things move slowly through the process. We're being very aggressive, we have assistance from Civil Service on this, we have it from the Budget Office and we're moving very aggressively to hire people before the end of the year.

I know that numbers are very important and I want to mention that since •• in 2000 •• January 1, 2004, when the Levy Administration took over •• and I just want to deal with sector cars right now, these are the people, the officers who drive sector cars 24/7 in the precincts, and I want to give you that number. From January 1st, 2004, there was 961 officers driving sector cars, as we speak or the 24th, as of October 24th of this year there are 998 officers driving sector cars. We have done what we said we would do, we took officers from behind the desks, we put them out on the streets doing the job that they were hired to do, without diminishing in anyway police services to the people of Suffolk County. As I mentioned, crime is down, crime is down in Suffolk County and not just by our estimation.

Just bear with me a second here. I just want to mention this, and I guess I'm repeating myself but I think it's important that I say this. Crime is down. Crime is low in Suffolk County. We have more cops on the street, and I should add we've done it without increasing taxes to the people of Suffolk County. We've also managed our overtime budget in a very effective manner. When I say we, I'm talking about the Commanders, the people in the precincts and the bureaus, through the Chiefs of the Department, daily monitor of overtime. We have saved at this point approximately a million dollars in the overtime. As you know, the Legislature removed \$840,000 when the budget, the '05 Budget was finally certified. We had to live with the reduced overtime monies, we did that, we're right on target with our overtime. And again, I should mention crime is down, more cops on the street and you're going to see this trend continue in the year 2006.

When we talked about at this time we have 998 officers in the precincts doing sector cars, nothing else, just sector cars. When the Police Academy class graduates March 10th •• we're down to 118, by the way, as we speak, it's not 120 •• that 118, hopefully we'll get that many graduating, will now go into the precincts, into that sector car operation. They do not go into special units, they will stay right on the street and, again, you'll see more cops on the street for the summer of 2006 and into 2007.

Okay, the Chief mentioned it will be up to eleven hundred and sixteen officers, the highest that it's ever been in sector cars that I guess anybody can remember. And again, without raising taxes, without spending extra money, just redeployment and innovative, smart business practices.

Just bear with me, please. The Budget Review Office on police cars mentioned that they wanted •• recommended that you remove 50 police cars from the budget, we think that's not a good idea. Our records indicate a use•for•life of about two•and•a•half years, I think they had indicated three years, a significant difference, especially when considered over time. We would recommend, it's my recommendation that that 50 be put back in the budget. We need the patrol cars, that's our life and blood on the street in Suffolk County. You know, we cover an area probably four times as large as Nassau County Police Department. The mileage is tremendous on these cars, they hit a hundred thousand grand on them very quickly, especially in the larger precincts, so that's an important item.

If I may mention, when the Budget Review Office did their analysis and we read the narrative, they didn't factor in •• it appeared that they didn't factor in car crashes, this is when the officers cars are crashed and they're out of service and we lose these cars and they're gone. Unfortunately it's a fact of life, we wish we didn't have any, but you know this stuff is going to happen, especially a 24/7 seven operation, emergency operation is going to happen. And we do lose a large number of cars, unfortunately, in that operation.

I'd like to comment or close out by talking about the recommendation of the hiring of extra police officers. Now, I've got to be very honest with you, and I'm always very honest and upfront; who wouldn't like extra personnel? You know, give me another 200, 300 cops, we'll find something for them to do. You know, we'll put three of them back on the desk again and we'll have them, you know, doing all sorts of things, but that's not the reality today. I just got to say to you that I requested from the County Executive, our request from the Police Department, 120 officers be hired in 2006. Now, that was based on the fact that we were going to lose historically 115, 120 officers retiring, because the new contracts are being signed and we assumed a lot of people would leave when they got their retroactive check and all that stuff. And when I put in 120, that was the reasonable number, we could live with that with crime down, crime down and more cops on the street because of redeployment and innovative practices; 120 we figured would be fine, after our analysis with the commanders and the bosses in the Police Department.

We found out after, as we speak right now there's only 82 retirements this year in the Police Department, down significantly from past years. We don't know why, we didn't do an analysis on why people didn't retire. We like to think it's because they like what's going on in the Police Department, they like being involved in police work and everybody is juiced up and flying high, morale is very high in the Police Department and people decided not to retire. A hundred officers that the County Executive recommended from March of next year is fine with me, it's adequate. We will keep plenty of officers on the street. Notwithstanding retirements coming up in '06 and anticipated promotions, we'll still have more officers on the street after these events when they happen than we did when we came on board in January 1 of 2004.

I think that's about it, Bob. I appreciate your patience, Madam Chair. I know it was lengthy, but I felt it was important that we show what we're doing and where we're going for 2006. Again, the return on investment for the dollars that we spend for, you know, the people that

you represent.

CHAIRPERSON CARPENTER:

Thank you, Commissioner. And I certainly did not mind giving you the opportunity to share with us the state of the Suffolk County Police Department at our budget hearing. I have a couple of questions. When you talk about redeploying officers and civilianization, you said 74 SCIN forms were signed; how many positions have been filled?

COMMISSIONER DORMER:

Thirty-eight as we speak and we expect 60 by the end of the year.

CHAIRPERSON CARPENTER:

So 38 positions have actually been filled. Did any of these •• they went to the nine officers that were redeployed and the 21 desk officers or not, you're just doing with two instead of three?

COMMISSIONER DORMER:

No, exactly. We took the hit on that in the precincts and also in headquarters, we felt it was the appropriate thing to do because, again, there was, you know, a decision made that the critical spot is in patrol, is out on the streets. And you know, if things •• we'd like things perfect in the administrative end of any business, but if you have to make a choice, I'll make a choice between somebody driving a sector car and somebody shuffling paper.

CHAIRPERSON CARPENTER:

Well, you know, I have to say, I don't know if it's fair to characterize those desk officers as shuffling paper. Because I know that many of the precincts are very very busy, very very active 24/7 and that people, because it is a police precinct, feel that when they walk in there with a problem, a victim of a shooting or whatever the issue is, they walk into a police precinct expecting to see police officers behind the desk, and I just hope that two are adequate instead of three. So that's my concern.

And when you talked about your efficiencies, and I applaud you on some of your forward thinking with efficiencies, but to me, efficiency does not mean •• and in your summer patrol initiative you said, "We can live with the backlog of paperwork." Backlog of paperwork sometimes comes back to bite you and backlog of paperwork isn't what we should be striving

for; we see it in other departments and I certainly don't want to see it in the Police Department. And you said that there was a million dollars worth of savings and you wish you could give your officers a bonus, and I think the way that we can give them a bonus is to hire those additional officers. And in the long run it will make a positive difference in the overtime if we have more officers, that's just one Legislator's opinion.

I have some other questions but I'm going to open it up to other members of the committee and then I'll get back to one issue in particular. Legislator Nowick.

LEG. NOWICK:

Commissioner, thank you for the state of the County •• state of the Police Department address to us which was very informative. And I just wanted to ask you a question that's been bothering me for a while and it's probably not •• well, in a way it's part of the budget process and saving money in your department. I was just curious, having seen incidents where police, Suffolk County Police Department does show up at an incident •• and by the way, I've had experience and they are wonderful, courteous, wonderful, they do their job, I could not praise them more, just so you know that.

COMMISSIONER DORMER:

Thank you.

LEG. NOWICK:

My question is if three police cars, sector cars, is that what you call them.

COMMISSIONER DORMER:

Yes.

LEG. NOWICK:

Show up for an incident, whether it's a robbery or a death or whatever it is, I was curious as to why the three cars that stay parked at a certain incident for maybe three hours, why do those cars continue to have the key on and the engine running for three hours? I know there must be an answer but I don't know what it is. Because I reading an article about saving energy and they say to shut off the car; now, maybe one car on, but could you just enlighten me?

COMMISSIONER DORMER:

Well, as you know, they've got to leave the emergency lights on because it's a liability issue. They also have the computer on, they have the radio on, everything is hooked up to the power, they have the extra powerful •• I don't think they call them alternators anymore, I'm outdated, I don't know what they call them in these cars now, but it powers the system. The officer has to leave the car running with the lighting system, that would suck the battery dry in a very short time, and you can't lose your lights. The radio, again, the siren, the computer.

LEG. NOWICK:

But couldn't you just do that with one car rather than all three?

COMMISSIONER DORMER:

Well, I'd have to know the specific incident. You mentioned •• you know, sometimes I drive by and I see three cars. Now, I know officers respond to ••

LEG. NOWICK:

I mean, I'm sure there's a reason, I was just curious as to what it was.

COMMISSIONER DORMER:

Yeah. Well, it's a safety issue, too. It depends on what's going on at the incident. Do they have to protect the scene, are they waiting for Crime Scene to come, are they waiting for the Detective to come, the ME to come? If you have a robbery, and we heard a discourse on DNA before, we pick up DNA now at scenes that we never picked up 15 years ago, 10 years ago, burglaries, robberies.

LEG. NOWICK:

But Commissioner, just •• I understand that and I agree with you, but I just want to know why three cars have to be running.

COMMISSIONER DORMER:

I ask myself that sometimes.

LEG. NOWICK:

I mean, I understand one car, one radio, one car, one set of lights; and only because we have such an energy crisis, why three?

COMMISSIONER DORMER:

Well, because the three emergency vehicles •• I'm sorry.

LEG. BISHOP:

There's no policy on it, right?

COMMISSIONER DORMER:

I'm sorry?

LEG. BISHOP:

There's no policy on it, they're not ••

COMMISSIONER DORMER:

No, I have to leave that to the discretion of the cops and the bosses out there. The Sergeant is the one that looks at that, makes a decision. We don't have a policy on shutting down your car if you're not driving; if you're in the parking lot, shut the engine off. Well, they've got no power, they've got no communications. They have some communication, the portable radio works out of the car, but when they come back in they charge it from the car. That car is like a mini •office, and I know you've been in the car, you've seen the police car.

LEG. NOWICK:

No, well, I haven't been in too many police cars. But I've seen ••

COMMISSIONER DORMER:

All right. No, I mean, if you've been in the police car you'll see that it's ••

LEG. NOWICK:

No, no, I just thought that maybe one mini •office was enough at a scene rather than three mini •offices.

COMMISSIONER DORMER:

I'll tell you, we'll discuss it later, I can't really give you an answer right now. I'm not going to

say, "I'm putting out an order that you can't run the cars at a crime scene."

LEG. NOWICK:

And I wouldn't want you to do that.

COMMISSIONER DORMER:

No, okay.

LEG. NOWICK:

I was just •• because I was reading an article about energy and saving energy, so it occurred to me that maybe there was a reason for that that I didn't know about.

LEG. BISHOP:

We should check out our bus drivers when they go on break also.

CHAIRPERSON CARPENTER:

Legislator Kennedy.

LEG. KENNEDY:

Hello, Commissioner. As a matter of fact, thank you for the presentation, I found it very informative. I have particular interest in the Medical Evaluation Unit, having had occasion to work on a study probably 14 years ago with _Buck_ consultants who did look at the use of 207 and in particular municipal disability retirement, both for sworns and for blue and white collar. It's encouraging to hear that those who are out are being evaluated in a timely fashion and are either recertified or brought back in. Correct me if I'm wrong, though, and it's been a while since I've had occasion to deal with this, have standards changed, is there actually now a light duty or limited duty characterization for law enforcement?

COMMISSIONER DORMER:

Yes.

LEG. KENNEDY:

It used to be only fit for duty or not.

COMMISSIONER DORMER:

Well, no, in Suffolk County we do have what we call limited duty and that's for somebody who is injured on the job, it has to be job related, and the medical doctor certifies they can come back light duty or limited duty. We do have a provision in Suffolk County for that.

LEG. KENNEDY:

So officers with less ••

COMMISSIONER DORMER:

There are some agencies that don't have it, so I know where you're coming from.

LEG. KENNEDY:

Right, officers with less than a hundred percent capacity can be brought back in in order to go ahead and do desk type of work or things such as that.

COMMISSIONER DORMER:

Exactly, answer the phones, do inside work, administrative work, and contractually they're entitled to that.

LEG. KENNEDY:

Okay, maybe I can talk to you more about it at a different time. The other question I have is a very simple question. You heard earlier today the questioning and responses from Mr. Desmond with Probation; I'm very curious, how long does it take for you to go ahead and procure body armor for your personnel?

COMMISSIONER DORMER:

We knew somebody would ask that question. It's almost immediate. We use U.S. Body Armor, which is a vendor. They haven't had any litigation lately like some companies, so we're very satisfied. It's a Level II threat which is appropriate for a police officer on the street, and don't ask me to get into the technical details.

LEG. KENNEDY:

No, no, no, but for all intents and purposes, in other words, when this class is graduated, whenever it's graduated and it's outfitted ••

COMMISSIONER DORMER:

They're being measured and will have vests the minute •• because as you know, when we came on board one of the first safety issues that we dealt with was the wearing of the vests. It wasn't required in the Suffolk County Police Department that officers actually wear them; we gave them to them, but never required them to wear them. It's like giving them a gun and telling them, "Well, you can make the choice in the morning whether you want to carry this thing or not." It's a safety issue, we mandated that the vests be worn when they're on duty, in uniform, on patrol. If they're undercover, the Commander makes the decision whether they get vested up or not based on the tactical situation.

LEG. KENNEDY:

Okay, you answered my question. Thank you. Thank you, Madam Chair.

CHAIRPERSON CARPENTER:

Commissioner, I'd like to ask you to comment on the initiative that was put in the budget that you did not request for an appropriation of \$50,000 for a marshal arts program to •• as an anti •gang initiative.

COMMISSIONER DORMER:

The history behind that is that the County Executive and I had spoke almost from the first couple of months that I was •• after I was appointed about crime in the streets, crime in neighborhoods and crime and disorder in the schools. And we knew that we had reach out to the schools and form a partnership with them to help them deal with the issues that go on in the schools; as everybody knows, it's a lot different than it was 20 years, drugs, gangs, that kind of thing.

We looked at a model in Longwood where PAL had financed a marshal arts program for youngsters at risk, and these were people that were gang members, actually gang members going to that high school and they got involved in marshal arts and it really steered them away from the gang activity. Crime and disorder went down dramatically in Longwood High School, we use it as the model. I said to the County Executive that we should reach out to the schools and offer our assistance in this area. Today we left a summit meeting with superintendents and principals and command staff and the County Executive at the Police Academy discussing these issues. The County Executive had asked me should we put some money in the budget to fund

the marshal arts initiatives, and I said it's a great idea. I said putting some money in there to help the kids be steered away from gangs is a good thing to do.

This was the County Executive's initiative, we had discussed it, I had no problem with it. I didn't put how much I wanted in there because we're going to funnel this money through PAL, through the Police Department through PAL to set up these marshal arts programs. We're looking at doing it after school and maybe in school, we're not sure yet. But we think it's very appropriate, we think 50,000 will be a pilot program to see how it works, and then if it works we may expand it depending on the requests or the needs of police •• education administrators, if they want us to do this.

CHAIRPERSON CARPENTER:

Thank you. Any initiatives that we can have to divert young people from behavior that's anything but appropriate certainly I think does us all well and there are many, many active youth programs out there that unfortunately did not receive funding in the amounts that they had requested. So I don't know if necessarily a new pilot program, maybe the money would be better spent putting it towards programs that already are in effect and proven to be effective rather than starting another pilot, but that's a discussion we'll have to have.

Your meeting this morning at the Police Academy sounds very interesting and something I think members of this committee might have been interested in had we known about it. I know that this Legislature had a symposium for school superintendents and school principals and the County Executive's Office was a part of it, it was a couple of years ago in this very auditorium trying to raise the awareness of gangs and that no community, no community is insulated from it. Because there are some that feel that it's only in certain areas, perhaps in minority communities that have an issue with gangs, but we know that that is not the case.

I want to ask you about the status of the police helicopters right now. I know that in the past they have been down on more occasions than they should have been and because of that I had sponsored an initiative to fast track the purchase of the replacement helicopters. Unfortunately that resolution was vetoed and not in a very timely fashion because the timing of the veto was such that it could not be addressed by the Legislature because we weren't meeting. But I've had occasion to speak to the County Executive since then at an event we were at last week and I got the impression that he felt we were trying to add an additional helicopter and that certainly wasn't the case. What I was looking to do was to purchase the two helicopters that

are in the budget for 2006, to start that process now so that we would have them in 2006 in the beginning of the summer season. But as far as the MD•902's are concerned, where are we at now?

COMMISSIONER DORMER:

I'm going to have Chief Webber, the Patrol Division Chief respond to the status of the helicopters. But I should mention that when we came on board there were three helicopters in the fleet.

CHAIRPERSON CARPENTER:

Oh, I am very much aware of that because it was my initiative sponsoring the purchase of the fourth helicopters, with the support of the County Executive and I was very grateful for his support, that got us to this point that we now have four.

COMMISSIONER DORMER:

Okay, I'll have the Chief give you a status.

CHAIRPERSON CARPENTER:

Okay, thank you.

CHIEF WEBBER:

Good afternoon, Legislator. At the present time we have three helicopters in the air, the one MD •902 should be up in about two weeks, it's down for one of the inspections; we have full belief that it will be up and running within the next couple of weeks, so we'll have four flying helicopters.

CHAIRPERSON CARPENTER:

Are either of the A•Stars scheduled for routine maintenance?

CHIEF WEBBER:

I don't have the schedule in front of me. They are •• as you know, depending upon the number of hours flown, they have to come in for ••

CHAIRPERSON CARPENTER:

One hundred.

CHIEF WEBBER:

•• periodic inspections, and I wouldn't be able to tell you without a list in front of me.

CHAIRPERSON CARPENTER:

Okay.

CHIEF WEBBER:

But they do go up and down depending upon the number of flight hours.

CHAIRPERSON CARPENTER:

Right. And maintaining a two helicopter operation for a County the size of ours, I think we're all in agreement that four helicopters are in fact needy and necessary. What is disturbing •• well, I guess it was really good that we did make the decision to purchase the fourth because there was a time in the summer that had we not made that decision to purchase the fourth we would have had no helicopters.

And I know that there have been some agreements where Nassau will back us up in an emergency, but that really isn't the way to do business on a, you know, 24/7, 365 day a year operation. So I'm hopeful that before the year is out we can, in fact, start that process and get those two MD's that are already in the Capital Budget with the appropriate appropriations, get that purchase process started so that we can have a reliable fleet.

And the one thing that I think is something that we need to keep in mind, when we do replace those MD•902's, that the newer, more reliable helicopters will not have to come down for routine maintenance as frequently as the 902's do. It's my information that they come down every 200 hours instead of every 100 hours, so that in itself will make a difference. So I would just hope that we could have your support in trying to move forward with this. Are there any other questions or comments? Okay, thank you very much, really.

COMMISSIONER DORMER:

Thank you very much for your time.

CHAIRPERSON CARPENTER:

Commissioner, before you leave, and Chief Webber. When I asked about the scheduling of the

service and everything, if we could get a copy of that sent to the committee, I'd appreciate it, where we're at with all of that. Maybe for the last six months, where we've been, how often they've been down and so forth, that would be helpful.

COMMISSIONER DORMER:

Very good.

CHAIRPERSON CARPENTER:

Thank you. Okay, next I guess we will ask FRES to come up.

COMMISSIONER WILLIAMS:

Good morning.

CHAIRPERSON CARPENTER:

Good morning.

COMMISSIONER WILLIAMS:

With me this morning I've got Chief Fire Marshal Warren Horst; Executive Director of the Fire Academy, Tom Kost; the Assistant Director, Dick Stockinger.

Basically our report is very short, our presentation, we're here to answer any questions you have. But as far as FRES, we're very happy with the recommended budget from the County Executive and from the Budget Review Office. We have looked it over, there were some questions in there we are prepared to answer, but as a department we are very satisfied and happy with the current budget.

CHAIRPERSON CARPENTER:

Well, that's very nice to hear and I'm sure the people that have yet to address the committee are happy to hear you say that because they have been waiting a long time, too.

I have one or two questions that really are not necessarily budget related, so if anyone from the committee •• and I see we have our lone trooper here, Legislator Nowick, everyone else seems to have abandoned us, if you have any questions at all for FRES.

LEG. NOWICK:

No, I'm actually delighted that somebody has come up here and said,
"We are happy with the budget and we are leaving."

CHAIRPERSON CARPENTER:

Thank you. I just wanted to ask you, and really it's more a comment than a question because I don't think it's •• I don't want to put you on the spot. But dealing with the fire departments and the EMS people, I know that there have been many reports back to me that the helicopters are not always available when they call for them, that departments are told there is no helicopter available. So again, I don't want to put you on the spot, but hopefully we can all work together towards addressing that.

COMMISSIONER WILLIAMS:

Sure.

CHAIRPERSON CARPENTER:

Where are we at with the parking lot? I know we have put money in the budget to try to take care of the situation that exists at FRES with the inadequate parking; do you know where that whole project is?

COMMISSIONER WILLIAMS:

I don't really have any up•to•date knowledge other than that DPW had come over and let us know what the ballpark figure was and we haven't really been working, haven't heard any more since then on that particular project.

CHAIRPERSON CARPENTER:

All right, maybe you could follow•up and check because I'd like to get that all secured before the end of the year, if possible, get that process started.

COMMISSIONER WILLIAMS:

Okay.

CHAIRPERSON CARPENTER:

The one recommendation that BRO did have was an inquiry about the landfill in Brookhaven having started charging the County for waste and garbage removal from the fire training

center; what's the status of that?

COMMISSIONER WILLIAMS:

What's happening with that, when we first received a bill on that I had sent a letter to the Commissioner of DPW at the Town of Brookhaven questioning that. The last correspondence we had back from him was in June, the middle of June of this year, that he would look into it, investigate it and then get back to us. The last bill that we received from them was in August, we haven't received bills. The Fire Academy goes every day, dumps their debris. We're hoping that they looked at it a different way, we have never been charged before ••

CHAIRPERSON CARPENTER:

Right.

COMMISSIONER WILLIAMS:

•• and this was something new. So we're waiting for some type of answer, what was the reason for not receiving that and we haven't received bills in two months now, maybe they have looked at it a different way.

CHAIRPERSON CARPENTER:

Well, I have a feeling with everything that's going on they're probably very preoccupied at this time of the year. But I think Budget Review's recommendation of checking into it was a good one and obviously you've done that already, so thank you. Legislator Bishop popped in and out and said he had a question.

LEG. NOWICK:

I just have one question.

CHAIRPERSON CARPENTER:

Sure.

LEG. NOWICK:

Just one comment. Over the year we've had occasion for you to give to myself and a few others several dissertations on both the hurricane awareness and what we would do in case of

an emergency, and also the LNG, and I wanted to thank you because each time it was very helpful and we learned a lot and I wanted to thank you for your time doing that.

COMMISSIONER WILLIAMS:

You're quite welcome and we're available any time, any type of presentations like that.

CHAIRPERSON CARPENTER:

Thank you. Thank you very much. Legislator Bishop? They're done.

LEG. BISHOP:

What?

CHAIRPERSON CARPENTER:

FRES is done, so ••

LEG. BISHOP:

(Inaudible).

CHAIRPERSON CARPENTER:

Yeah, I know. I'm just saying, they're ready for your question.

LEG. BISHOP:

Oh, okay. I just want to know if they're going to bail out my basement.

COMMISSIONER WILLIAMS:

Not personally.

LEG. BISHOP:

I didn't think so. With the bill that we passed last year on the response times, are there any costs, additional costs next year and are they budgeted for?

COMMISSIONER WILLIAMS:

We're right now •• I know a resolution has been introduced for equipment that we're purchasing. We're right in line, we have a new ID person coming in, we're in the process of getting that taken care of. We're having meetings with the other PSAPs. Basically we're up and

staffed. We've had some dispatch positions open which we got them filled, the new seven people start November the 7th, so we're up to full staff and we're moving ahead, we're fine.

LEG. BISHOP:

The resolution •• is that the resolution I'm sponsoring? Equipment.

COMMISSIONER WILLIAMS:

The equipment, isn't it? I believe ••

LEG. BISHOP:

Yeah, okay.

COMMISSIONER WILLIAMS:

Legislator Carpenter is sponsoring it.

LEG. BISHOP:

Oh, you're sponsoring it.

CHAIRPERSON CARPENTER:

Yes, but if you wish to, I mean, that's fine. I don't have any •• we just asked to get going on getting the equipment.

LEG. BISHOP:

How much is it for? I want to see if it's the same memo I have in my file.

CHAIRPERSON CARPENTER:

Budget Review, do you recall off•hand?

MR. HORST:

Sixteen thousand two hundred.

CHAIRPERSON CARPENTER:

How much?

LEG. BISHOP:

That's it, that's the number, right.

CHAIRPERSON CARPENTER:

Okay.

LEG. BISHOP:

Okay, you're doing that?

CHAIRPERSON CARPENTER:

I think we're cosponsoring it, all right?

LEG. BISHOP:

Fine. I just want to make sure it's •• okay, great. Thank you.

CHAIRPERSON CARPENTER:

Thank you. Is there anything else? Get while the getting is good.

COMMISSIONER WILLIAMS:

Thank you.

CHAIRPERSON CARPENTER:

Thank you. Bob Kearon, and thank you for your patience.

MR. KEARON:

Good afternoon.

CHAIRPERSON CARPENTER:

Good afternoon.

MR. KEARON:

With me from my office is Lon Kochany, our Budget Director. At the outset, I would just like to thank Gail Vizzini and her staff, particularly Sean Clancy who was in the auditorium earlier, for the fine work that they have done with respect to analyzing the County Executive's

recommended budget.

There's just a couple of matters that I wanted to address about BRO's report. One section that there was a recommendation that our permanent salary account be increased by \$250,000 in order to give us the opportunity to fill many of our vacancies by the middle of the year, next year, rather than the final quarter; we agree with that wholeheartedly. But beyond that, I'd ask that the Legislature consider increasing that figure, that 250,000 figure by another \$150,000 because Tom Spota would like again in 2006 the opportunity to award merit raises to certain Assistant District Attorneys.

As you might recall, in this year's budget you gave us \$300,000 and we used that to give raises to 65 ADA's. Excluded from that consideration were ADA's who were in District Court and our Case Advisory Bureau. What we were trying to do is target the assistants with four, five, six years of experience. As a result, we have now, because of the many vacancies that we've suffered over the year, we have been promoting Assistants out of District Court in the Case Advisory Bureau and they're now handling felony cases but they're still making the entry level salary of \$49,000. They find themselves working hand in hand with Detectives who are making twice as much money as they are.

As you may know, in August, on August 1st we hired a very large class of new assistants, 21. Notwithstanding that, since that time seven more assistants have resigned on us, and it's always universally the same mantra from all of them, they would love to stay, they love the work, but the money is insufficient.

During the course of the year, we are mindful of the fact that we are in an expensive department to operate. During the course of the year we return to the County General Fund \$250,000 from our Asset Forfeiture Account in order to help offset the overtime cost of the Detectives that are assigned to the office. And Tom Spota I could tell you is dedicated to continuing that practice in any way we can where we can move Asset Forfeiture money into the General Fund, and we hope to be able to do that again for 2006. I'm not saying it will be a direct offset of any extra monies you give us for the purpose of merit raises, but I think we can come pretty close as we did in 2005 and more or less pay for the merit raises. But we need to try our best to retain our staff because I believe we're hiring very, very good young attorneys and it's a difficult thing to see them after they go on four or five years of experience to get

recruited by private firms and leave us, because it's definitely a brain•drain. We keep replacing them with new young assistants, but it's going to cost us in the long run because we're losing a lot of good experience. Tom, in less than four years, we have 178 attorneys, he has hired 115 attorneys in less than four years, that's quite a turnover rate.

The other point I'd like to make is with respect to vehicles. We identified in our budget request 35 vehicles that we expect to go over 100,000 miles in 2006. DPW recommended that we have 30 of those replaced, the County Executive reduced that figure down to 24. We really do need those 35 vehicles, in particular two of the vehicles we were requesting were passenger vans for our Child Abuse and Domestic Violence Bureau, they use them to transport victims of child abuse and domestic violence to court in Riverhead, because often times these folks don't have any means of transportation. So I'd ask that you consider giving us the 35 vehicles that will be going over 100,000 miles next year.

CHAIRPERSON CARPENTER:

Okay, thank you very much. Any questions?

LEG. BISHOP:

Yes.

CHAIRPERSON CARPENTER:

Legislator Bishop.

LEG. BISHOP:

The District Attorney also has a seizure fund; is that •• how much do you get off the seizure fund, does it vary year to year, is it fairly consistent?

MR. KEARON:

You're talking about the Asset Forfeiture?

LEG. BISHOP:

Yeah.

CHAIRPERSON CARPENTER:

Two fifty.

LEG. BISHOP:

I'm sorry. I should pay better attention, I apologize.

MR. KEARON:

Yeah. It depends on the ebb and flow of cases, but we do continually get monies in and we continually expend monies for various things. We were able to do for the first time move 250,000 from that to the General Fund because the Police Department's Detectives in our particular office overshot their overtime allotted them.

LEG. BISHOP:

Right. So what about merit raises, could you fund merit raises from the seizure?

MR. KEARON:

No, we cannot do that.

LEG. BISHOP:

Why not?

MR. KEARON:

Because it's considered a normal budgetary •• salary is normal budgetary.

LEG. BISHOP:

Okay, so the seizure ••

MR. KEARON:

Overtime is not.

LEG. BISHOP:

Right, okay, overtime is •• okay. Can you reduce overtime? Is there money in the fund? In other words, if we could reduce overtime, reprogram that money to merit raises and then you could pay your overtime from the ••

MR. KEARON:

Well, that's a delicate subject you raise because I think it's forbode under the Federal Asset Forfeiture rules to calculate that you're going to be reducing a normally budgeted expense like overtime in order to avail yourself of our Asset Forfeiture money.

LEG. BISHOP:

Well, let's put it this way; are we budgeting an increase in overtime?

MR. KEARON:

I don't know, that's a Police Department function as far as the Detectives in our office. We found out last year that ••

LEG. BISHOP:

Okay, they're not even in your budget.

MR. KEARON:

Correct.

LEG. BISHOP:

Okay, so then it's not going to work anyway. All right, how about vacancies? How many vacant positions are there currently in the District Attorney's Office, approximately?

MR. KEARON:

Over all, the clerical staff and the professional staff, about 27.

LEG. BISHOP:

Okay, so we could in theory reprogram some of that, and it's unlikely they're all going to be •• there's no plan to fill all 27.

MR. KEARON:

Well, we did submit a hiring plan for this year.

LEG. BISHOP:

Bob, you know it's not going to happen, you're not going to get 27 filled.

MR. KEARON:

No, that's not •• no. We do have, you know, turnover savings each year because of the number of vacancies that we have.

LEG. BISHOP:

All right, that's something •• we also have ripple effect issues then because then we have Legal Aid and the other similar agencies to yours in the criminal justice system that are going to come at us, but okay. I appreciate it.

MR. KEARON:

Thank you.

CHAIRPERSON CARPENTER:

Thank you. Thank you very much.

LEG. NOWICK:

Thank you.

CHAIRPERSON CARPENTER:

If there is no one else to address committee, we stand adjourned.

Thank you.

(*The meeting was adjourned at 1 P.M.*)

Legislator Angie Carpenter, Chairperson

Public Safety & Public Information Committee

_ _ • Denotes Spelled Phonetically